

Serial No. 09/826,786

- 7 -

RECEIVED
CENTRAL FAX CENTER

NOV 03 2006

60311sh

REMARKS

All of the claims of this application currently stand rejected, either under 35 U.S.C. §102(a) or 35 U.S.C. §103(a) over Matyas, U.S. Patent No. 6,102,287. Claim 1 has been amended to make it more clear that, according to Applicant's invention, survey results are provided to a client only if the client submits a survey questionnaire, and denying the request for the survey results if the questionnaire is not received. Likewise, claim 17 has been amended to make it more clear that the survey results system forwards requested survey results to the client only if ownership of the product by the client is determined, and only after the questionnaire is received by the client.

Such limitations clearly distinguish over Matyas. Matyas resides in a system that allows buyers to receive product information prior to making purchases, enabling the buyers to participate in an on-line survey ('287 patent, col. 2, line 65 to col. 3, line 1). Although Matyas claims to be applicable to other systems, it really limited to an extension of the "Mini Pay" architecture. Figure 2 is a block diagram of an extended Mini Pay system, modified in according with the Matyas invention (col. 13, lines 61+). As with all other embodiments of Matyas, "prior to making a purchase, the buyer 10 can receive survey results for different products. And, after purchasing the product, the buyer 10 can take a survey, thus allowing the buyer to provide survey inputs to the evaluator 50." (Col. 13, line 66 to col. 14, line 3.) The gist of Matyas is to provide various schemes "for enabling an evaluator to verify that a buyer providing product survey information has actually purchased from the seller." (Col. 3, lines 23-26.) Thus, whereas Matyas is concerned with providing information prior to the purchase of a product, Applicant's product is directly related with survey taking and dissemination. Indeed, according to Matyas, "submission of a survey questionnaire is optional ...". (Col. 19, lines 33-34.)

In contrast, according to Applicant's invention, in return for a person actually filling out a survey, they can receive previously collected survey results, but only *after the fact*. This not only distinguishes from Matyas, but is actually entirely separate from, and uscable with, the Matyas system, since the two inventions are so different. That is, one could contemplate a system whereby the invention of Applicant is used to provide previously collected survey results, and after such results are forwarded to the client, the system of Matyas may be used for the purchase of a product following the receipt of the survey results. As it stands, however, the system of Matyas hands out

Serial No. 09/826,786

- 8 -

60311sh

survey results in an unhindered fashion, that is, "to perspective buyers upon request," with no strings attached (see '287 patent, Abstract).

Given that Matyas neither teaches nor suggests all of the limitations of the independent claims of this application, Applicant contends that all claims are in condition for allowance. Questions regarding this application may be directed to the undersigned attorney by telephone, facsimile or electronic mail.

Respectfully submitted,

By: 

John G. Posa

Reg. No. 37,424

Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, PC

PO Box 7021

Troy, MI 48007-7021

(734) 913-9300 FAX (734) 913-6007

Email: jposa@patlaw.com

Dated: November 3, 2006